

## Comment Set 25



*North American Engineering*

July 28, 2003  
(Via facsimile and hand delivery)

Ms. Judy Brown  
Public Land Management Specialist  
State Lands Commission  
Division of Land Management  
100 Howe Avenue, Suite 100-South  
Sacramento, CA 95825-8202

**Re: SFPP Concord to Sacramento Pipeline Project  
Supplemental Comments**

Dear Ms. Brown,

This letter provides supplemental written comments on the Draft Environmental Impact Report (EIR), prepared by Aspen Environmental, for the SFPP Concord to Sacramento Project (the SFPP Project), dated July 2003. These comments are in addition to Rhodia Inc. (Rhodia) comments provided at the Public Hearing on the SFPP Project on July 16, 2003 in Fairfield, California and written comments previously submitted via e-mail and by courier and dated July 23, 2003.

In light of the inter-agency meeting on July 24, 2003 regarding the SFPP Project and impacts to Segment 1 in Peyton Marsh and Slough, Rhodia would like to point out the potential impact from Horizontal Directional Drilling (HDD) due to occurrences referred to as "frac out" during installation of the pipeline. Frac out occurs when drilling fluid under high pressure daylight or emerges on the land surface -- which can be in a water course. Discharge of large volumes of drilling fluids, as well as other subsurface material, can result for such occurrences. It is our understanding that frac out commonly occurs when drilling in bedrock, as well as soil substrate. Rhodia notes that HDD techniques are proposed in at least one area on Peyton Slough Remediation and Restoration site during Phase 1 (i.e. under the "old" and "new" alignments for the Peyton Slough), and also in Phase 2. In addition, it is possible that a frac out occurrence in the Phase 1 HDD under the remediation site could cause additional significant impacts because it could cause a discharge of contaminated material that may be located beneath the site in the locations where HDD is planned. The Draft EIR does not address the risks and impacts of frac out, and does not address the impacts of frac out related discharge of contaminated soil substrate in the Peyton Slough environment. In addition, as Rhodia has pointed out in its other comments, Phase 2 operations using HDD to install pipe underneath the wetland and Carquinez Strait would delay recovery of, or potentially destroy, habitat and active species in the Peyton Marsh and Slough remediation and restoration areas. The potential for discharges to the wetland or the

25-1

## Comment Set 25, cont.

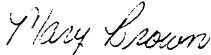
Ms. Judy Brown  
July 22, 2003  
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Strait appear to be high and have not been evaluated in the Draft EIR for the SFPP Project.

**25-1**

It should be noted that these comments are not intended to be exhaustive, and Rhodia reserves the right to add comments as permitted under CEQA. Please feel free to call the undersigned at (713) 201-1273 for any additional information or clarification on these comments.

Sincerely,



Mary Brown  
Rhodia Inc.

cc:

Nanci Smith, CSLC  
Steve Jenkins, CSLC  
Eric Gilles, CSLC  
Priya Ganguli, RWQCB  
Tina Lowe, RWQCB  
Terry Seward, RWQCB  
Curtis Scott, RWQCB  
Molly Martindale, ACOE  
Mike Rugg, CDFG  
Eric Tatersalle, CDFG  
Michelle Levenson, BCDC  
Bob Batha, BCDC  
Janice Gan, CDFG  
Jeff Stuart, NMFS  
Dan Buford, USFWS  
Dina Tasini, City of Martinez  
Tim Tucker, City of Martinez  
Laura Hanson, The Watershed Nursery

Brad Olsen, EBRPD  
Karl Malamud Roam, CCMVCD  
Roberta Goulart, Contra Costa County  
Dave Contreras, MVSD  
Dick Bogaert, MVSD  
Teng Wu, MVSD  
Bob Wisecarver, Audubon Society  
Christopher Kitting, UC Hayward  
Dave Cornman, Kinder Morgan  
Richard Brandes, Shore Terminals  
Peter Jurichko, Rhodia  
Anthony Koo, Rhodia  
Fred Ellerbusch, Rhodia  
Lois Autié, URS  
Dave Marx, URS  
Dave Marx, URS  
Chris Vais, URS

## Responses to Comment Set 25

- 25-1 As discussed in the Draft EIR, under Impact HS-3: Contamination of Surface Water by Directional Drilling Fluid Seepage at page D.8-15, the potential occurrence of a “frac-out” is a concern. Mitigation Measure HS-3a (Response to Unanticipated Release of Drilling Fluids) would apply to any boring or directional drilling at any location at which HDD is proposed or may be considered, including in Peyton Slough and would avoid potentially significant impacts (see Section 4, changes to page D.8-15). See also Response to Comment 14-3 regarding Phase 2.



## Comment Set 26



*Solano Transportation Authority*

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Suisun City, California 94585

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Members:

July 28, 2003

Benicia  
Dixon  
Fairfield  
Rio Vista  
Solano County  
Suisun City  
Vacaville  
Vallejo

Ms. Judy Brown  
California State Lands Commission  
100 Howe Avenue, Suite 100-South  
Sacramento, CA 95825-8202

**RE: Comments on SFPP Draft EIR**

Dear Ms. Brown:

Thank you for the opportunity to comment on the Draft EIR for the Concord to Sacramento pipeline. The project will provide positive economic and air quality benefits to the region; however, we need to ensure all requirements of the California Environmental Quality Act are met in the preparation of the environmental documents.

The Solano Transportation Authority (STA) is currently preparing the EIS/EIR for the I-80/I-680/SR12 Interchange Improvement Project. In evaluating the EIR for the pipeline, it appears as if your document does not address the whole of the I-80/I-680/SR12 project in the cumulative analysis. The alignment proposed for the SFPP pipeline would follow the east side of I-680 to near Cordelia where it would turn northeast and travel through the Suisun Marsh until it intersects with the Union Pacific Railroad and, later, Cordelia Road. The majority of this alignment is within the study area for the Southern Parkway. The SFPP EIR cumulative analysis identifies Project No. 29 as the "Southern Bypass." I presume this project is the Southern Parkway. The cumulative impact analysis does not address cumulative impacts of the two projects (i.e., biological resources) or potential conflicts between the pipeline and the Southern Parkway. The cumulative impact analysis should be expanded to address these cumulative impacts.

26-1

The SFPP EIR also identifies the Cordelia mitigation segment of pipeline that, rather than crossing the Suisun Marsh, would continue north along I-680 to approximately Old Cordelia, at which point it would turn east and follow the Union Pacific Railroad and Cordelia Road (see Figure D.4-3 of the SFPP EIR). This segment is proposed to mitigate potential impacts to biological resources from crossing the Suisun Marsh. The proposed mitigation segment is also within the study area for the interchange project and may coincide with modifications to the I-680/Red Top Road interchange, widening of I-680, and improvements to local roadways. These potential modifications associated with the I-80/I-680/SR 12 interchange project are not identified in the SFPP EIR cumulative

26-2

## Comment Set 26, cont.

scenario (Appendix E), and the cumulative analysis does not address potential impacts and conflicts arising from construction of the SFPP pipeline in the Cordelia mitigation segment with the additional I-80/I-680/SR12 Interchange project modifications. Potential impacts and conflicts should be addressed as part of the cumulative impacts.

26-2

Based on the maps provided in the EIR, the proposed pipeline appears to be within both primary and secondary marsh. The EIR itself does not directly speak to the Marsh and the management area so I am relying on a general interpretation of the pipeline mapping provided in the EIR. Nevertheless, it should be noted that the Suisun Marsh Protection Plan permits development of underground pipelines within the Marsh, provided that no alternative routes are feasible and the pipelines are designed and constructed to standards specified in the Plan. Provided no alternatives exist and the project is designed to be consistent with the Utilities policies of the Plan, construction within the Marsh could, in theory, be approved. Consistency with the Suisun Marsh Protection Plan would not negate the need to mitigate for impacts to wetlands, habitat, and sensitive species within the Marsh. In responding to these impacts, the SFPP EIR recommends that the Cordelia segment be incorporated into the project as a "mitigation segment" in order to avoid construction within the Marsh. Further discussion of the Marsh and the impact of pipeline construction within the Marsh should be included in the EIR.

26-3

There appears to be no cumulative discussion for pipeline safety and risk of accidents. The EIR discussion of risk from third party damage is based on an average incident frequency and may be a proxy for overall cumulative risk to the pipeline. This discussion may be fine as an average over the length of the project, but does not address the increased risk of placing the line in an area where a lot of development or ground disturbing activity would be anticipated (i.e., I-80/I-680/SR12 Interchange improvements). The EIR recommends placement of markers and says under the Residual Impact heading that the impact would remain significant. This implies that this impact is both significant and unmitigable; however, it is not stated as such. This impact should be identified as both significant and unmitigable in the EIR. I would also recommend that coordination with STA and others may be a good idea to avoid conflicts that would lead to increased risk of accidents.

26-4

Thank you again for this opportunity to comment on the Draft EIR. Please contact me at 707.424.6075 or [mduncan@sta-snci.com](mailto:mduncan@sta-snci.com) if you have questions.

Sincerely,



William M. Duncan, P.E.  
Director for Projects

## Responses to Comment Set 26

- 26-1 The I-80/I-680/SR 12 Interchange Improvement Project has been added to Table E-1 (Site #20) to illustrate that cumulative impacts may occur (see Section 4 of this Final EIR, changes to Section E, Table E-1). The Southern Bypass project identified by the City of Fairfield in Table E-1 (Site #29) has also been renamed to the Southern Parkway.
- 26-2 Text has been added to the discussion of cumulative impacts in the transportation analysis of Section D.12.3.8 of this Final EIR to clarify the potential for the Proposed Project, with the Cordelia Mitigation Segment of Mitigation Measure B-4a, or the Existing Pipeline ROW Alternative to conflict with the I-80/I-680/SR 12 Interchange Improvement Project (see Section 4, changes to page D.12-19). No additional mitigation would be necessary to minimize potential cumulative impacts.
- 26-3 The Draft EIR in Section D.4.2.3 on page D.4-31 explains that the San Francisco Bay Conservation and Development Commission (BCDC) is responsible for protection of the Suisun Marsh, and Table A-1 (Permits Required) of this Final EIR has been revised to clearly show that Suisun Marsh is managed by the BCDC (see Section 4, changes to page A-1). The potential impacts of locating the pipeline within the Suisun Marsh are discussed in Section D.4.4 of the Draft EIR. The impacts of pipeline construction and operation, including accidental impacts, in the Suisun Marsh are discussed under Impact B-4: Construction Impacts and Potential Accidents in Cordelia Marsh (Draft EIR, page D.4-76). This Final EIR includes revisions in the Executive Summary to clarify that this impact would be significant, even with the Cordelia Mitigation Segment, because impacts from a spill could still flow into the Cordelia Slough if the accident occurred near either of the two waterway crossings in the mitigation segment. This Final EIR also includes revisions to Section D.5 (Cultural Resources), which clarify that potentially significant impacts to historic resources would be related to the mitigation segment, if it is required (see also Response to Comment 27-1). With these revisions, CSLC believes there is sufficient information in the Final EIR to characterize the impacts of the Proposed Project and alternatives (see Section 4, which includes the revised Executive Summary and changes to Section D.5).
- 26-4 New text has been added under Section D.2 (Pipeline Safety and Risk of Accidents) in this Final EIR to clearly address cumulative impacts in this environmental issue area (see Section 4, under changes to Section D.2.3.11, Cumulative Impacts). Revisions to the Draft EIR are also included in this Final EIR to clarify that coordination with the Solano Transportation Authority would be necessary to minimize the risk of damage from third parties to the pipeline. The text of Mitigation Measure S-2g (Pipeline Markers) and the residual impact have been revised in this Final EIR to clearly show that Impact S-2.3 is significant and unmitigable (see Section 4, changes to page D.2-40).





## Comment Set 27

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July 28, 2003

Judy Brown  
California State Lands Commission  
100 Howe Avenue, 54-100  
Sacramento, CA 94563

Dear Ms. Brown:

I recently became aware that a proposed pipeline from Concord to Sacramento is being rebuilt through Solano County. While I appreciate that the new proposed route reduces the amount of pipeline through primary marshlands, I am concerned about one of the mitigation routes suggested in the draft Environmental Impact Report (DEIR).

The mitigation route suggests the proposed route be modified to go further down Ramsey Road and turn onto Old Cordelia Road. I fully oppose this modification and strongly believe it increases impacts to both historical resources and residents and does not achieve its objective of reducing biological impacts.

Continuing down Ramsey Road impacts similar biology to the proposed route and adds impacts to historical resources by locating the pipeline adjacent to 45 structures listed on the California Register of Historical Resources with California Office of Historical Preservation in Sacramento, California. In addition, this small historical town has the honored distinction of being eligible for the National Register of Historical Resources. Our town takes great pride in this and we recently celebrated our 150th Anniversary on April 23rd, 2003 by having a large festival of about 3500 people celebrating our town's history called Heritage and Railroad Day in Old Town Cordelia where we reenacted the Pony Express going down Cordelia Road as well as other important town history. Most importantly, Solano County on Cordelia Road in Old Town Cordelia recently was awarded a grant of \$50,000 to create a historical walking path down Cordelia Road lined with historical markers, trees, and old-fashioned street lamps by the Metropolitan Transportation Committee linking these important historical structures.

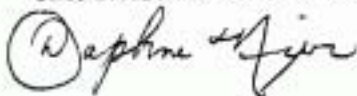
In addition, the suggested mitigation brings more temporary construction and operational impacts to residents and business than the proposed route. Old Cordelia is already significantly impacted by traffic and associated noise from traffic veering off I-680 attempting a short cut for the over congested I-680/I-880 interchange. Construction of a pipeline down our road will create further havoc in an already impacted neighborhood. I do not believe the impacts to historical structures and the temporary construction impacts to the extended Ramsey Road portion and Old Cordelia Road were evaluated in the DEIR.

The proposed route down the existing power line utility corridor and across the secondary pasturelands is strongly preferred over a route through Old Cordelia. I understand that if a mitigation measure does not achieve a reduction in significant impacts and increases them in the other disciplines, it must be rejected. Therefore, I urge you to reject the Old Cordelia Road mitigation option.

Thanking you kindly in advance for your time and attention in this matter.

Sincerely,

Daphne Nixon, President  
Cordelia Area Homeowner's Association



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27-1

## Responses to Comment Set 27

- 27-1 Section D.5.3.6, on page D.4-77 of the Draft EIR, discusses the potential impacts to cultural resources that would occur if Mitigation Measure B-4a (Cordelia Mitigation Segment), would be implemented for the Proposed Project. In response to this comment, the route was investigated more closely. A review of the location of the Village of Cordellia (*sic*) Historic District (Primary No. P-48-000446) on file with the California Historical Resources Information System, Northwest Information Center, indicates that the Cordelia Mitigation Segment may be within the village boundary, and that an expanded discussion of this issue is appropriate in the Final EIR.

No potential impact would occur under the Existing Pipeline ROW Alternative because Mitigation Segment EP-1 is at least 0.6 miles from the village boundary. Both the Proposed Project (without the Cordelia Mitigation Segment) and the Existing Pipeline ROW Alternative Mitigation Segment EP-1 would follow the PG&E transmission line south of Cordelia and would traverse American Canyon Creek and Cordelia Creek south the UPRR corridor and Cordelia Road. These routes would only follow Cordelia Road for 1.5 miles between the UPRR and Pennsylvania Avenue (see Figure D.4-4 and Draft EIR Appendix 1E, Jurisdictional Delineation Maps, Maps 2240-W-507).

The text of Section D.5 (Cultural Resources) has been revised in this Final EIR to identify the historic area in the setting, Section D.5.1.2. The discussion of impacts by segment, Section D.5.3.6, has also been revised to correctly characterize a substantially increased likelihood of encountering historic resources along the Cordelia Mitigation Segment when compared to the Proposed Project without the mitigation. The text of the Executive Summary, Section 5.2.1, Proposed Project vs. The Cordelia Mitigation Segment, of this Final EIR has also been changed to clarify that impacts to historic resources would be increased with the Cordelia Mitigation Segment (see Section 4, which includes the revised Executive Summary and changes to Section D.5).

The Draft EIR has analyzed the potential environmental impacts of both the Proposed Project alignment through the Cordelia Marsh and the Cordelia Mitigation Segment (see Mitigation Measure B-4a on page D.4-77 of the Draft EIR). The CSLC, as a decision-making body, has the ability to consider both possible alignments and decide which, on balance, will result in the least overall adverse impact on the environment.